

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of Art. 43, § 264.

In this section, and throughout this title, the present references to "assistant pharmacists" are deleted as obsolete. There are no longer any individuals who practice or who may qualify to practice as assistant pharmacists in this State.

12-311. DENIALS, REPRIMANDS, SUSPENSIONS, AND REVOCATIONS
-- GROUNDS AVAILABLE.

(A) "CONVICTED" DEFINED.

IN THIS SECTION, "CONVICTED" INCLUDES A DETERMINATION OF GUILT, A GUILTY PLEA, OR A PLEA OF NOLO CONTENDERE FOLLOWED BY A SENTENCE.

(B) IN GENERAL.

SUBJECT TO THE HEARING PROVISIONS OF § 12-312 OF THIS SUBTITLE, THE BOARD, ON THE AFFIRMATIVE VOTE OF A TWO-THIRDS MAJORITY OF ITS MEMBERS THEN SERVING, MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE, OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

(3) AIDS AN UNAUTHORIZED INDIVIDUAL TO PRACTICE PHARMACY OR TO REPRESENT THAT THE INDIVIDUAL IS A PHARMACIST;

(4) IS ADDICTED TO ANY CONTROLLED DANGEROUS SUBSTANCE OR HABITUALLY IS INTOXICATED;

(5) PROVIDES PHARMACEUTICAL SERVICES WHILE INTOXICATED OR UNDER THE INFLUENCE OF A DRUG WITH ABUSE POTENTIAL;

(6) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD AS PART OF PRACTICING PHARMACY;

(7) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT THAT IS REQUIRED BY LAW;

(8) WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR RECORDING OF ANY REPORT THAT IS REQUIRED BY LAW;

(9) WILLFULLY INDUCES ANOTHER TO FAIL TO FILE OR RECORD ANY REPORT THAT IS REQUIRED BY LAW;